

REMARKS

This amendment is being filed in response to the Office Action having a mailing date of April 1, 2008. Claims 8, 12, 18, 23, and 27 are rewritten in independent form, and various other claims are amended as shown. No new matter has been added. Claims 1, 7, 9, 14, 20, and 24 are canceled herein without prejudice. With this amendment, claims 2-6, 8, 10-13, 15-19, 21-23, and 25-28 remain pending in the application.

I. Information disclosure statement (IDS) and preliminary comments

A supplemental IDS and the appropriate IDS fee are being submitted herewith. It is kindly requested that an initialed copy of this supplemental IDS be provided along with the next communication, so as to confirm that the reference listed therein has been entered into the record and considered.

The specification is amended as shown to address the informality noted by the present Office Action. In view of this amendment to the specification, it is kindly requested that the objection raised by the present Office Action be withdrawn.

The present Office Action rejected claims 9-13 under 35 U.S.C. § 101 for allegedly being directed towards non-statutory subject matter. The Examiner provided suggestions on page 3 of the present Office Action as to certain language that may be used to overcome this rejection. The Examiner is thanked for these very helpful suggestions, and claims 10-13 as presented herein incorporate the suggested language. It is therefore respectfully submitted that present claims 10-13 as presented herein meet the requirements under 35 U.S.C. § 101, and it is therefore kindly requested that the non-statutory subject matter rejections be withdrawn.

Claim 7 was rejected under 35 U.S.C. § 112, second paragraph for allegedly being indefinite. Claim 7 is canceled herein without prejudice, thereby rendering the indefiniteness rejection moot. Accordingly, it is kindly requested that the indefiniteness rejection be withdrawn.

II. Allowable subject matter

The present Office Action indicated that claims 8, 12-13, 18-19, 23, and 27 would be allowable if rewritten in independent form.

The Examiner is thanked for this indication of allowable subject matter.

Accordingly, dependent claim 8 is rewritten in independent form to include the limitations of its base independent claim 1, with claim 1 now canceled herein without prejudice. The claims that previously depended directly or indirectly on claim 1 are amended as shown to change their dependency based on newly independent claim 8.

Dependent claim 12 is rewritten in independent form to include the limitations of its base independent claim 9, with claim 9 now canceled herein without prejudice. The claims that previously depended directly or indirectly on claim 9 are amended as shown to change their dependency based on newly independent claim 12.

Dependent claim 18 is rewritten in independent form to include the limitations of its base independent claim 14, with claim 14 now canceled herein without prejudice. The claims that previously depended directly or indirectly on claim 14 are amended as shown to change their dependency based on newly independent claim 18.

Dependent claim 23 is rewritten in independent form to include the limitations of its base independent claim 20, with claim 20 now canceled herein without prejudice. The claims that previously depended directly or indirectly on claim 20 are amended as shown to change their dependency based on newly independent claim 23.

Dependent claim 27 is rewritten in independent form to include the limitations of its base independent claim 24, with claim 24 now canceled herein without prejudice. The claims that previously depended directly or indirectly on claim 24 are amended as shown to change their dependency based on newly independent claim 27.

Various amendments are made to the claims as shown to provide appropriate antecedent basis, to make the recitations within and between the claims consistent, to make typographical/grammatical corrections, to more precisely recite the subject matter contained therein, and/or to otherwise place such claims in better form.

It is respectfully submitted that newly independent claims 8, 12, 18, 23, and 27 and their respective dependent claims are in condition for allowance.

It is kindly requested that the claims be renumbered appropriately, so that the dependent claims are sequentially numbered subsequent to the newly independent claims in the to-be-issued patent, and so that the claims belonging to the same claim sets are grouped together in the to-be-issued patent.

Page 15 of the present Office Action provided a Statement of Reasons for the Indication of Allowable Subject Matter. It is noted that the Statement only specifically discussed two of the references. It is noted herein for the record that the claims are allowable over all of the references on record, and not just over the two references specifically discussed in the Statement. Moreover, the claims are allowable based on the recitations contained in each and every claim. Thus, to the extent that there are omissions or other differences between the actual language recited in each and every respective claim, versus the language used in the Statement to explain allowability, it is noted herein for the record that it is the actual language recited in each and every respective claim that determines the scopes thereof. Accordingly, the scopes of the claims are not to be limited by the Statement.

### III. Rejections based on cited references

The present Office Action rejected certain claims under 35 U.S.C. § 103(a) on the basis of various references. Given the allowable subject matter as previously discussed and addressed above and given the cancellation of the rejected independent claims, it is respectfully submitted that these rejections under 35 U.S.C. § 103(a) are rendered moot.

### IV. Conclusion

Overall, none of the references singly or in any motivated combination disclose, teach, or suggest what is recited in the allowable independent claims. The dependent claims that depend directly or indirectly on these independent claims are likewise allowable based on at least the same reasons and based on the recitations contained in each dependent claim.

If the attorney of record (Dennis M. de Guzman) has overlooked a teaching in any of the cited references that is relevant to the allowability of the claims, the Examiner is requested to specifically point out where such teaching may be found. Further, if there are any

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informalities or questions that can be addressed via telephone, the Examiner is encouraged to contact Mr. de Guzman at (206) 622-4900.

The Director is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090.

All of the claims remaining in the application are believed to be allowable. Favorable consideration and a Notice of Allowance are earnestly solicited.

Respectfully submitted,  
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